

**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2011

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

**TWENTY-FOURTH DAY
MARCH 3, 2011**

OFFICE OF THE CHIEF CLERK

A handwritten signature in black ink, appearing to be a stylized 'J' or 'K' followed by a flourish.

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TWENTY-FOURTH DAY

Thursday, March 3, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:08 o'clock p.m., with the Speaker presiding, after which the Roll was called showing all Members present with the exception of Representatives Cabanilla, Ching, McKelvey, Mizuno, Morita, M. Oshiro, Saiki and Takumi.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Third Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 167 through 174 and 1101 through 1103) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 167, dated February 17, 2011, transmitting the Report on the Study, Control and Mitigation of the Bee Mite Infestation, prepared by the Department of Agriculture pursuant to Act 162, SLH 2009.

Gov. Msg. No. 168, dated February 17, 2011, transmitting the Report on the Impact of the Important Agricultural Land Qualified Agricultural Cost Tax Credit and a Quantitative and Qualitative Assessment of the Impact of the Loan Guaranty Program, prepared by the Department of Agriculture and the Department of Taxation pursuant to Act 233, SLH 2008.

Gov. Msg. No. 169, dated February 17, 2011, transmitting the Annual Report on the Agricultural Development and Food Security Special Fund, prepared by the Department of Agriculture pursuant to Act 173, SLH 2010.

Gov. Msg. No. 170, dated February 3, 2011, transmitting the Department of Agriculture's Annual Report, pursuant to Act 100, SLH 1999.

Gov. Msg. No. 171, dated February 24, 2011, transmitting the Annual Report on the Activities of the Radiologic Technology Board for Fiscal Year 2009-2010, prepared by the Department of Health pursuant to Chapter 466J, HRS.

Gov. Msg. No. 172, dated February 24, 2011, transmitting the Annual Report on the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities for Fiscal Year 2009-2010, prepared by the Department of Health pursuant to Section 340B-12, HRS.

Gov. Msg. No. 173, dated February 24, 2011, transmitting a Report Relating to the Drinking Water Treatment Revolving Loan Fund, prepared by the Department of Health pursuant to Section 340E-33, HRS.

Gov. Msg. No. 174, dated February 24, 2011, transmitting a Report Relating to the State Water Pollution Control Revolving Fund, prepared by the Department of Health pursuant to Section 342D-82, HRS.

Gov. Msg. No. 1101, informing the House that on February 23, 2011, the following bill was signed into law:

S.B. No. 232, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS." (ACT 001)

Gov. Msg. No. 1102, informing the House that on February 23, 2011, the following bill was signed into law:

H.B. No. 1077, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW." (ACT 002)

Gov. Msg. No. 1103, informing the House that on February 23, 2011, the following bill was signed into law:

S.B. No. 1286, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET." (ACT 003)

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 64 and 65) were received by the Clerk and were placed on file:

Dept. Com. No. 64, dated February 14, 2011, from Kalbert K. Young, Interim Director of Finance, Department of Budget and Finance, transmitting pursuant to Section 107 of Act 162, SLH 2009, the Department of Education's request for approval to expend additional Federal Education Jobs "V" funds for the EDN 100 – School Based Budgeting by \$10,786,240, which were not appropriated because the award of funds was not made until August 10, 2010.

Dept. Com. No. 65, dated March 1, 2011, from Rodney A. Maile, Administrative Director of the Courts, The Judiciary, transmitting pursuant to Section 803-47(b), HRS, a report relating to wire, oral, or electronic communications and reports concerning pen registers and trap and trace devices based on information received from the Attorney General and the County Prosecuting Attorneys; for the calendar year 2010, the Attorney General and the Prosecuting Attorneys of Oahu, Maui, Hawaii, and Kauai report that no applications for intercepted communications were made in calendar year 2010.

INTRODUCTIONS

The following introductions were made to the Members of the House:

REMARKS DELIVERED: Rep. Ichiyama
Rep. B. Oshiro

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 74) was announced by the Clerk and the following action taken:

H.R. No. 74, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING THE HAWAII PACIFIC UNIVERSITY SOFTBALL TEAM FOR ITS ACCOMPLISHMENTS AS THE 2010 NCAA DIVISION II NATIONAL CHAMPIONS," was jointly offered by Representatives Rhoads and Chong.

Representative Rhoads moved that H.R. No. 74 be adopted, seconded by Representative Chong.

Representative Rhoads congratulated the Hawaii Pacific University 2009-2010 Lady Sea Warrior Softball Team on winning the Division II National Championship.

Representative Rhoads then introduced the team members who were able to be in attendance:

2009-2010 team members seated on the Floor: Ms. Melissa Awa, Ms. Breanne Patton, and Ms. Caira Pires.

2009-2010 team members seated in the Gallery: Ms. Chante Tesoro, Ms. Kozy Toriano, Ms. Erin Fujita, Ms. Malia Killam, Ms. Chelsea Luckey, Ms. Ashley Valine, Ms. Ciera Senas, Ms. Pomaikai Kalakau, Ms. Casey Sugihara, Ms. Maile Kim, Ms. Ashley Fernandez, Ms. Nicole Morrow, Ms. Sherise Musquiz, Ms. Laine Shikuma and Ms. Celina Garces.

New team members seated in the Gallery: Ms. Melissa Kirby, Ms. Lauren Beard, Ms. Alyssa Ipu, Ms. Charisse Tanabe and Ms. Brittany Fenumiai.

Representative Rhoads then introduced members of the Coaching staff and Faculty:

Seated on the Floor: Head Coach, Mr. Bryan Nakasone; and Assistant Coach, Mr. Harold Okita.

Seated in the Gallery: Assistant Coaches, Mr. Roger Javillo, Mr. Jon Correles and Mr. Richard Nomura; HPU Vice President of Administration, Mr. Rick Stepien; Athletic Director, Mr. Darren Vorderbrugge; Sports Information Director, Mr. Brent Curry; Coaches' wives, Mrs. Donna Nakasone and Mrs. Nina Okita.

The motion was put to vote by the Chair and carried, and H.R. No. 74 was adopted, with Representatives Cabanilla, Ching, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

The following resolution (H.R. No. 75) was announced by the Clerk and the following action taken:

H.R. No. 75, entitled: "HOUSE RESOLUTION CONGRATULATING THE FARRINGTON HIGH SCHOOL BOYS VARSITY BASKETBALL TEAM FOR WINNING THE 2011 HAWAIIAN AIRLINES/HHSAA BOYS BASKETBALL DIVISION II STATE CHAMPIONSHIP," was offered by Representative Manahan.

Representative Manahan moved that H.R. No. 75 be adopted, seconded by Representative Ito.

Representative Manahan congratulated the Farrington High School Boys Varsity Basketball Team for winning the Division II State Championship and introduced members of the coaching staff:

Seated on the Floor: Head Coach, Mr. Allan Silva; and Associate Head Coach, Mr. Rocky Sauer.

Seated in the Gallery: Assistant Coaches, Mr. Kaleo Morton, Mr. Mike Quartero, Mr. Tony Callazo and Mr. Brent Bargamento.

Representative Ito also congratulated the Farrington High School Governors and introduced members of the team:

Seated on the Floor: Mr. Lancelot 'KK' Williams, and Team Captain, Mr. Viane Vaina.

Seated on the Gallery: Mr. Paul 'Kula' Solomon, Mr. Anastacio Lombawa, Mr. Clem Raogal, Mr. Bernard DeLeon, Mr. Jeffrey Madaran, Mr. Chadey Callazo, Mr. Shane Cabato-Machado, Mr. Tyler Liana, Mr. J.P. Saycon, Mr. Bradley Parras, Mr. Keoni Kiko and Mr. Michael 'Mickey' Kleman.

Representative Manahan then invited Team Captain, Mr. Viane Vaina to share their team's philosophy of Aloha.

The motion was put to vote by the Chair and carried, and H.R. No. 75 was adopted, with Representatives Cabanilla, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

At 12:27 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:59 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 609), recommending that H.R. No. 10, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 10, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO PRESERVE THE COUNTIES' SHARE OF THE TRANSIENT ACCOMMODATIONS TAX," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Souki, Takumi and Thielen being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 610), recommending that H.C.R. No. 8, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PRESERVE THE COUNTIES' SHARE OF THE TRANSIENT ACCOMMODATIONS TAX," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Souki, Takumi and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 611) recommending that H.B. No. 1565, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1565, entitled: "A BILL FOR AN ACT RELATING TO STATE REHABILITATION COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 612) recommending that H.B. No. 1543, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1543, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING LAW," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 613) recommending that H.B. No. 1130, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1130, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 614) recommending that H.B. No. 240, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 240, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING PROSTITUTION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 615) recommending that H.B. No. 1376, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1376, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 616) recommending that H.B. No. 680, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 680, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representatives Wooley and Hanohano, for the Committee on Culture & the Arts and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 617) recommending that H.B. No. 1637, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1637, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE TREE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 618) recommending that H.B. No. 1087, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1087, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 619) recommending that H.B. No. 319, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 319, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Har
Speaker Say

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 319, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDERS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 620) recommending that H.B. No. 316, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 316, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RECORDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 621) recommending that H.B. No. 716, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 716, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 622) recommending that H.B. No. 44, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 44, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 623) recommending that H.B. No. 354, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 354, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEALS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 624) recommending that H.B. No. 468, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 468, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 625) recommending that H.B. No. 141, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 141, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Fontaine
Rep. Pine
Rep. Ward
Rep. McKelvey
Rep. Marumoto
Rep. B. Oshiro

Rep. Har

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 626) recommending that H.B. No. 108, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 108, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 627) recommending that H.B. No. 1112, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1112, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Awana

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1112, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 628) recommending that H.B. No. 242, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING PROSTITUTION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 629) recommending that H.B. No. 439, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 630) recommending that H.B. No. 1007, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1007, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

PORNOGRAPHY OFFENSES AGAINST CHILDREN," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 631) recommending that H.B. No. 241, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 241, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING PROSTITUTION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 632) recommending that H.B. No. 1221, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1221, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 633) recommending that H.B. No. 381, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 381, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 634) recommending that H.B. No. 1244, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1244, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Jordan

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLEMNIZATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 635) recommending that H.B. No. 618, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No.

618, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 636) recommending that H.B. No. 1155, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1155, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Fontaine
Rep. McKelvey
Rep. Ward
Rep. Marumoto
Rep. Pine

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1155, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPEAT OFFENDERS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

REMARKS DELIVERED: Speaker Say

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representative Cabanilla, Carroll, Ching, C. Lee, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen were excused.)

REPORTS OF STANDING COMMITTEES

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 637) recommending that H.B. No. 922, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 922, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 42 ayes, with Representatives Cabanilla, Carroll, Ching, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 638) recommending that H.B. No. 122, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 122, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 42 ayes, with Representatives Cabanilla, Carroll, Ching, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 639) recommending that H.B. No. 546, pass Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 640) recommending that H.B. No. 968, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 968, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed Third Reading by a vote of 42 ayes, with Representatives Cabanilla, Carroll, Ching, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

At 1:08 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 922
H.B. No. 122, HD 1
H.B. No. 968, HD 1

THIRD READING

H.B. No. 266:

Representative B. Oshiro moved that H.B. No. 266, pass Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Pine
Rep. Belatti

TO BE INSERTED: Rep. Pine
Rep. Belatti

(Submit by Tuesday, March 8)

The motion was put to vote by the Chair and carried, and H.B. No. 266, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY STANDARDS," passed Third Reading by a vote of 38 ayes to 4 noes, with Representatives Belatti, Hanohano, Pine and Wooley voting no, and with Representatives Cabanilla, Carroll, Ching, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

H.B. No. 299, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 299, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS OF APPEAL," passed Third Reading by a vote of 42 ayes, with Representatives Cabanilla, Carroll, Ching, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

H.B. No. 640, HD 1:

Representative B. Oshiro moved that H.B. No. 640, HD 1, pass Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Tokioka
Rep. Har

TO BE INSERTED: Rep. Tokioka
(Submit by Tuesday, March 8)

The motion was put to vote by the Chair and carried, and H.B. No. 640, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Third Reading by a vote of 42 ayes, with Representatives Cabanilla, Carroll, Ching, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

H.B. No. 109, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 109, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSHINE LAW," passed Third Reading by a vote of 42 ayes, with Representatives Cabanilla, Carroll, Ching, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen being excused.

At 1:11 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 266
H.B. No. 299, HD 1
H.B. No. 640, HD 1
H.B. No. 109, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 62 through 73) and concurrent resolutions (H.C.R. Nos. 70 through 81) were referred to Printing and further action was deferred:

H.R. No. 62, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONVENE A TASK FORCE TO STUDY THE ESTABLISHMENT OF A STATEWIDE COMMUNITY LAND TRUST TO PROMOTE HOMEOWNERSHIP OPPORTUNITIES IN HAWAII," was jointly offered by Representatives Fontaine, Ching, Johanson, C. Lee, Marumoto, McKelvey, Morikawa, Pine, Souki, Thielen and Ward.

H.R. No. 63, entitled: "HOUSE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE BROADCAST PROGRAM'S CABLECASTS AND WEBCASTS OF HOUSE OF REPRESENTATIVES' PROCEEDINGS," was jointly offered by Representatives Yamashita and Tokioka.

H.R. No. 64, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TWO-YEAR PILOT PROGRAM TO OFFER ONLINE INSTRUCTION TO MIDDLE AND HIGH SCHOOL STUDENTS IN THE PUBLIC SCHOOL SYSTEM," was offered by Representative Nishimoto, by request.

H.R. No. 65, entitled: "HOUSE RESOLUTION URGING CHARITABLE ORGANIZATIONS THAT ACCEPT DONATIONS OF USED MOTOR VEHICLES TO OFFER INFORMATION TO DONORS ON TITLE TRANSFER PROCEDURES AND OFFER TO TRANSFER THE MOTOR VEHICLE'S TITLE FOR THE DONOR," was offered by Representative Nishimoto, by request.

H.R. No. 66, entitled: "HOUSE RESOLUTION URGING THE MAYOR AND THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO REPLACE ALL THE CESSPOOLS AND SEPTIC TANKS IN EWA AND HONOLULU AND CONNECT THESE COMMUNITIES TO THE CITY SEWER SYSTEM," was jointly offered by Representatives Cabanilla and Hanohano.

H.R. No. 67, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH (DOH) TO OPEN THE DOH PARKING LOT NEAR THE CORNER OF BERETANIA AND PUNCHBOWL STREETS FROM 6 P.M. TO 6 A.M. TO SERVE AS NIGHTTIME PARKING FOR WORKING HOMELESS INDIVIDUALS," was jointly offered by Representatives Cabanilla, Hanohano and Chang.

H.R. No. 68, entitled: "HOUSE RESOLUTION URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO OPEN THE KAKA'AKO WATERFRONT PARK PARKING LOT FROM 6 P.M. TO 6 A.M. TO SERVE AS NIGHTTIME PARKING FOR WORKING HOMELESS INDIVIDUALS," was jointly offered by Representatives Cabanilla, Hanohano, Chang and Yamashita.

H.R. No. 69, entitled: "HOUSE RESOLUTION CONVENING A TASK FORCE TO IDENTIFY AND SECURE A SITE SUITABLE FOR BUILDING FLOATS, STORING MATERIALS, AND SETTING UP DISPLAYS FOR PARADES AND MAJOR CELEBRATORY EVENTS," was jointly offered by Representatives Choy, Brower, C. Lee, McKelvey, B. Oshiro, Wooley, Aquino, Chang, Nakashima, Nishimoto, Tokioka and Tsuji.

H.R. No. 70, entitled: "HOUSE RESOLUTION URGING THE COMMERCIAL AIRLINE INDUSTRY TO EXTEND VARIOUS COURTESIES TO MEMBERS OF THE UNITED STATES ARMED SERVICES WITH MILITARY ORDERS WHO ARE TRANSPORTED BY COMMERCIAL AIRCRAFT, IN RECOGNITION OF THEIR SERVICE TO THE PEOPLE OF THE UNITED STATES AND AS AN EXPRESSION OF GRATITUDE AND APPRECIATION," was jointly offered by Representatives Awana, Hanohano, Mizuno, Har, Herkes, Ichiyama and Souki.

H.R. No. 71, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO AGREE TO A FINAL DETERMINATION REGARDING THE OWNERSHIP AND JURISDICTION OF AN UNIMPROVED SECTION OF KAIMAKANI STREET," was offered by Representative B. Oshiro.

H.R. No. 72, entitled: "HOUSE RESOLUTION REQUESTING THE U.S. DEPARTMENT OF LABOR TO EXAMINE FEDERAL LAWS AND REGULATIONS TO ALLOW STATES TO MORE READILY ENACT UNEMPLOYMENT COMPENSATION-RELATED LAWS THAT ALLOW FEAR OF DOMESTIC OR SEXUAL VIOLENCE TO BE A VALID REASON FOR NOT ACCEPTING SUITABLE WORK," was jointly offered by Representatives Cullen, Aquino, M. Lee, Manahan and Rhoads.

H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING THE CONVENING OF A WORKING GROUP TO ADDRESS THE JURISDICTIONAL DISPUTES BETWEEN THE STATE AND THE COUNTIES REGARDING OWNERSHIP AND RESPONSIBILITY FOR MAINTENANCE AND IMPROVEMENT OF ROADWAYS," was offered by Representative Souki.

H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONVENE A TASK FORCE TO STUDY THE ESTABLISHMENT OF A STATEWIDE COMMUNITY LAND TRUST TO PROMOTE HOMEOWNERSHIP OPPORTUNITIES IN HAWAII," was jointly offered by Representatives Fontaine, Pine, Ching, Johanson, C. Lee, Marumoto, McKelvey, Morikawa, Souki, Thielen and Ward.

H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE HUMAN PAPILLOMAVIRUS IMMUNIZATION AVAILABLE TO INDIGENT PATIENTS AND THROUGH THE TEEN VAX PROGRAM, AND URGING INSURERS TO OFFER COVERAGE FOR HUMAN PAPILLOMAVIRUS IMMUNIZATION TO FEMALE POLICYHOLDERS ELEVEN TO TWENTY-SIX YEARS OF AGE," was jointly offered by Representatives Yamane, Belatti, Hanohano, Ichiyama, Jordan, M. Lee, Morikawa, Morita, Wooley and Evans.

H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY ON THE RESULTS AND IMPACT OF ACT 10, SESSION LAWS OF HAWAII 2008, AS WELL AS OTHER INFORMATION SECURITY PROPOSALS," was jointly offered by Representatives Takai, Belatti, Chang, McKelvey, Nishimoto, Brower, Johanson, M. Lee, Pine, Souki and Tokioka.

H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYOR AND THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO REPLACE ALL THE CESSPOOLS AND SEPTIC TANKS IN EWA AND HONOLULU AND CONNECT THESE COMMUNITIES TO THE CITY SEWER SYSTEM," was jointly offered by Representatives Cabanilla and Hanohano.

H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH (DOH) TO OPEN THE DOH PARKING LOT NEAR THE CORNER OF BERETANIA AND PUNCHBOWL STREETS FROM 6 P.M. TO 6 A.M. TO SERVE AS NIGHTTIME PARKING FOR WORKING HOMELESS INDIVIDUALS," was jointly offered by Representatives Cabanilla, Hanohano and Chang.

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO OPEN THE KAKAOKO WATERFRONT PARK PARKING LOT FROM 6 P.M. TO 6 A.M. TO SERVE AS NIGHTTIME PARKING FOR WORKING HOMELESS INDIVIDUALS," was jointly offered by Representatives Cabanilla, Hanohano, Chang and Yamashita.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO IDENTIFY AND SECURE A SITE SUITABLE FOR BUILDING FLOATS, STORING MATERIALS, AND SETTING UP DISPLAYS FOR PARADES AND MAJOR CELEBRATORY EVENTS," was jointly offered by Representatives Choy, Brower, C. Lee, McKelvey, B. Oshiro, Aquino, Chang, Nakashima, Nishimoto, Tokioka, Tsuji and Wooley.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COMMERCIAL AIRLINE INDUSTRY TO EXTEND VARIOUS COURTESIES TO MEMBERS OF THE UNITED STATES ARMED FORCES WITH MILITARY ORDERS WHO ARE TRANSPORTED BY COMMERCIAL AIRCRAFT, IN RECOGNITION OF THEIR SERVICE TO THE PEOPLE OF THE UNITED STATES AND AS AN EXPRESSION OF GRATITUDE AND APPRECIATION," was offered by Representative Awana.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO AGREE TO A FINAL DETERMINATION REGARDING THE OWNERSHIP AND JURISDICTION OF AN UNIMPROVED SECTION OF KAIMAKANI STREET," was offered by Representative B. Oshiro.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW TO DETERMINE WHETHER LARGE SCALE DOG BREEDERS SHOULD BE LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was jointly offered by Representatives B. Oshiro, McKelvey, Thielen, Herkes and Keith-Agaran.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. DEPARTMENT OF LABOR TO EXAMINE FEDERAL LAWS AND REGULATIONS TO ALLOW STATES TO MORE READILY ENACT UNEMPLOYMENT COMPENSATION-RELATED LAWS THAT ALLOW FEAR OF DOMESTIC OR SEXUAL VIOLENCE TO BE A VALID REASON FOR NOT ACCEPTING SUITABLE WORK," was jointly offered by Representatives Cullen, Aquino, M. Lee, Manahan and Rhoads.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A WORKING GROUP TO ADDRESS THE JURISDICTIONAL DISPUTES BETWEEN THE STATE AND THE COUNTIES REGARDING OWNERSHIP AND RESPONSIBILITY FOR MAINTENANCE AND IMPROVEMENT OF ROADWAYS," was offered by Representative Souki.

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>H.B. No.</u>	<u>Re-referred to:</u>
613	Committee on Health, then to the Committee on Judiciary
<u>H.R. No.</u>	<u>Re-referred to:</u>
45	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
<u>H.C.R. No.</u>	<u>Re-referred to:</u>
52	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

ADJOURNMENT

At 1:14 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 4, 2011. (Representatives Cabanilla, Carroll, Ching, Mizuno, Morita, M. Oshiro, Saiki, Takumi and Thielen were excused.)

ANNOUNCEMENTS

REMARKS DELIVERED: Rep. Morikawa
Rep. C. Lee
Rep. Ichiyama
Rep. M. Lee